

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	Group Art Unit: 1621
)	
KOSHIMA et al.)	Examiner: Karl J. Puttlitz
)	
Serial No. 10/576,682)	Confirmation No.: 7256
)	
Filed: January 16, 2007)	<u>RESPONSE TO</u>
)	<u>RESTRICTION REQUIREMENT</u>
Atty. File No. 5426JS-5)	
)	
For: "METHOD FOR PRODUCING)	<i>Submitted Via EFS-Web</i>
ASYMMETRIC ALKYL)	
COMPOUND USING ALKALI-)	
TREATED SOLID SUPPORT,)	
AND ALKALI-TREATED SOLID)	
SUPPORT USED IN THIS)	
METHOD")	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Applicants submit this Response to address the Restriction Requirement having a mailing date of August 18, 2009. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.

Applicants elect to elect Group I, Claims 1-25, to prosecute in the present application. Applicants reserve their right to prosecute claims in the non-elected groups in a future divisional application.

Applicants respectfully submit that where a single field of a search thoroughly covers all of the claims in an application, different classifications in the Patent and Trademark Office should not be controlling. It is respectfully submitted that in this case the restriction requirement only serves to increase the expense to Applicants and to the Patent and Trademark Office. As noted in the Commissioner's Notice of April 9, 1975, 930 O.G. 450 and M.P.E.P §803, where search and examination of an entire application

can be made without serious burden, the Examiner is encouraged to examine on the merits, even if it includes claims to distinct or independent inventions.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Joseph E. Kovarik
Registration No. 33,005
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: 9/18/09

J:\5426\JS-5\Response to RR.doc